

# **REMARKS/ARGUMENTS**

This Amendment is in response to the Office Action dated November 3, 2004. Claims 1-36 are pending. Claims 1-36 are rejected. Claims 1, 3, 11, 17, 19, 27, and 33 have been amended. Claims 2 and 18 have been canceled. Accordingly, claims 1, 3-17, and 19-36 remain pending in the present application.

The Examiner states that the "title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed". Accordingly, Applicant has amended the title.

Claims 1-36 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Shinichi et al (hereinafter "Shinichi"), US Patent 6,523,133 B2. The Examiner states:

As to claims 1, and 17 Shinichi discloses an information processing apparatus and method for reducing the boot time for a computer [col. 1, lines 37-41] comprising the steps of:

- (a) supplying power to the computer [by external power supply, col. 2, lines 16-22, col. 5, lines 18-19, col. 8, lines 20-28];
- (b) disabling a plurality of input/output (I/O) devices coupled to the computer [by detecting a preceding state system inherently disables I/o devices for restoring to that state and preventing regular booting][col. 2, lines 16-40, col. 3, lines 3-7, col. 5, lines 56-64].
- (c) performing a boot process [inherent OS program] for the computer [col. 5, lines 39-43]; and
- (d) placing the computer in a suspend to memory state [S3 state], wherein the steps (a) through (d) are performed before a user turns on [before user commands restoration of the state prevailed] the computer [col. 2, lines 16-67, col. 3, lines 3-30, col. 5, lines 18-63, col. 7, lines 46-56, col. 8, lines 20-28, fig. 23, 7-8, 13]...

Applicant respectfully disagrees as to the claims as amended. The present invention, as recited in amended independent claims 1, 11, 17, 27, and 33, provide a method, system, and computer readable medium with program instructions for reducing the boot time for a computer, including: (a) supplying power to the computer when the computer is in a powered down state; (b) disabling a plurality of input/output (I/O) devices coupled to the computer; (c) performing a boot process for the computer; and (d) placing the computer in a suspend to memory state, wherein the steps (a) through (d) are performed before a user turns on the computer. Thus, the

computer transitions from a powered down state to a suspend to memory state before the user turns on the computer (e.g. pushes the power button).

In contrast, when the computer in Shinichi is provided power from a powered down state in a first embodiment, it transitions to the booted state (S2) after the user turns on the computer (information processing apparatus assume the S1 state immediately upon manufacture; upon manipulation of start/stop switch by user, electric power is supplied, where the information processing apparatus makes a transition to S2 [col. 6, lines 29 et seq.])). The computer does not transition to the suspend to memory state from a powered down state prior to the user's use of the start/stop switch.

Further in contrast, when the computer in Shinichi is provided power from a powered down state in a second embodiment, it transitions to the booted state (S2), then when the user uses the operation suspending switch, the computer transitions to the S3 state. The computer does not transition to the suspend to memory state from a powered down state prior to the user's use of the operation suspending switch. [col. 12, line 5 et. seq.]

Thus, in neither embodiment does Shinichi teach or suggest the computer transitioning from a powered down state to a suspend to memory state before the user turns on the computer (use the start/stop switch or the operation suspending switch), as recited in amended independent claims 1, 11, 17, 27, and 33.

Therefore, for the above identified reasons, the present invention as recited in independent claims 1, 11, 17, 27, and 33 is neither taught nor suggested by Shinichi. Applicant further submits that claims 3-10, 12-16, 19-26, 28-32, and 34-36 are also allowable because they depend on the above allowable base claims.

In view of the foregoing, Applicant submits that claims 1, 3-17, and 19-36 are patentable over the cited reference. Applicant, therefore, respectfully requests reconsideration and

allowance of the claims as now presented.

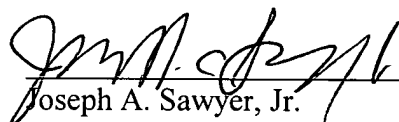
The prior art made of record and not relied upon has been reviewed and does not appear to be any more relevant than the applied references.

Applicants' attorney believes this application in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted,

SAWYER LAW GROUP LLP

January 11, 2005



Joseph A. Sawyer, Jr.  
Attorney for Applicant(s)

Reg. No. 30,801

(650) 493-4540